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8 Attorneys for Plaintiff
9 salesforce.com, inc.

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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

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16 SALESFORCE.COM, INC., a Delaware
17 Corporation,

18 Case No.: C 07 3556 WHA

19 Plaintiff,

20 v.
21
22 STIPULATION AND [PROPOSED] ORDER
23 SELECTING ADR PROCESS

24 THE COMPUTER MERCHANT, LTD, a
25 Massachusetts Corporation,

26 Defendant.

27
28 AND RELATED COUNTERCLAIMS

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30 Counsel report that they have met and conferred regarding ADR and have reached the
31 following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

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33 The parties agree to participate in the following ADR process: Mediation (ADR L.R. 6).
34 The parties have not yet determined whether to employ a mediator from the Court's panel or to engage a
35 private mediation provider.

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37 ////

1 The parties agree to hold the ADR session by: January 25, 2008. (This proposed date is
2 120 days after the date of the stipulation. The parties have agreed to this date because the presumptive
3 deadline of 90 days from the date of the referring order, or approximately December 31, 2007, could
4 present problems due to end-of-year holidays and the parties' belief that certain discovery will be
5 necessary before any ADR process could be productive.)

DATED: September 21, 2007

SULLWOLD & HUGHES

By:

JAMES A. HUGHES
Attorneys for Plaintiff
ALESFORCE.COM, INC.

12 | DATED: September _____, 2007

McGRANE GREENFIELD LLP

By:

CHRISTOPHER D. SULLIVAN
Attorneys for Counter-Defendant and
Counterclaimant
ASTADIA CONSULTING, LLC

DATED: September 26, 2007

~~GALLO & ASSOCIATES~~

By:

JAY E. GALLO
Attorneys for Defendant
and Counterclaimant
THE COMPUTER MERCHANT, LTD.

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 4 present problems due to end-of-year holidays and the parties' belief that certain discovery will be
 5 necessary before any ADR process could be productive.)

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7 DATED: September _____, 2007

SULLWOLD & HUGHES

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By: _____
 JAMES A. HUGHES
 Attorneys for Plaintiff
 SALESFORCE.COM, INC.

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12 DATED: September 27, 2007

McGRANE GREENFIELD LLP

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By: _____
 CHRISTOPHER D. SULLIVAN
 Attorneys for Counter-Defendant and
 Counterclaimant
 ASTADIA CONSULTING, LLC

GALLO & ASSOCIATES

By: _____
 RAY E. GALLO
 Attorneys for Defendant
 and Counterclaimant
 THE COMPUTER MERCHANT, LTD.

1 [PROPOSED] ORDER
2
3 Pursuant to the Stipulation above, the captioned matter is hereby referred to: Mediation,
either before a member of the Court's mediation panel or a private mediation provider.
4 Deadline for ADR session: January 25, 2008.
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6 DATED: September _____, 2007

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8 UNITED STATES DISTRICT JUDGE
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